

REMARKS

In paragraph 1 of the Office Action, the Examiner withdrew the restriction requirement.

In paragraph 2 of the Office Action, claim 16 was objected to because of three specific informalities and in paragraph 3 of the Office Action, claims 17 and 18 were ejected under 35 U.S.C. § 112, second paragraph. In response, claims 16-18 have been canceled and new claims 19 to 21 have been submitted in order to clearly point out the invention. New claims 20 and 21 substantially correspond to previous claims 17 and 18 and have been drafted to avoid any basis for a rejection under 35 U.S.C. § 112, second paragraph. Claim 16 has been redrafted as new claim 16 which has the amendments suggested by the Examiner.

New claim 19 points out that a "delivery mouth being defined by a single mouth wall". This feature does not add new matter, since it is clearly disclosed in the drawings. It is believed that new claim 19 points out novel and non obvious subject matter that is not shown or suggested by the prior art of record.

In paragraph 5 of the Office Action, Claims 16-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Decelles in view of Schellenbach.

Reconsideration is requested.

Decelles discloses a covering element which is not formed as a single piece with the covering body. More specifically, this patent discloses a closure cap for sealing a container, the closure cap having an

inner skirt shaped and sized to fit externally and to be secured onto the neck of the container. The outer skirt extends over an inner skirt at a given distance from the latter, thereby defining a gap therebetween. The outer skirt is made of a material which must be flexible and deformable. The cap is provided with a cover which has a peripheral edge attached to the outer skirt by a hinge. Thus, the cover is not coupled by a hinge to the wall of the mouth of the container, which is a single wall. It is acknowledged that this document also states that the closure cap can be made integral to the container 560. However, the container 560 is integral with the inner skirt of the cap and not with the cover. In other words, the integral container-cap assembly of Descelles has a very complex construction with a lot of adjoining walls which is quite different from the container pointed out in new claim 19. Claim 19 defines a container having a mouth with a single wall, that is integral, through a strip hinge, with a cover. In this connection Applicant desires to point out the fact that the hinge mentioned in this prior patent is not a strip hinge but it appears to be a conventional pin hinge. Thus, this hinge could not be formed integrally with the cover. Anyhow, a particular feature of Applicant's container is that its single wall mouth is integral, through an integral strip hinge, with the cover which is directly coupled to the single wall of the mouth and not to an outer cap, even if the latter could be constructed integrally with the container mouth. Thus, the prior construction is much more complex than the simple container construction disclosed by Applicant in new claim 19. Accordingly, the Decelles patent is not

properly combined with the teachings of the Schellenbach patent which point to a container having a mouth covering element with an annular gasket of a second material on the covering element. For these reasons, it is requested that this ground of rejection be withdrawn.

In paragraph 5 of the Office Action, Claims 16-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schellenbach in view of Mueller.

Reconsideration is requested.

As noted above, Schellenbach patent discloses a container having a mouth covering element with an annular gasket of a second material on the covering element. Mueller teaches a cover which is integrally connected to a body by a strip hinge, the body is not the body of a container, but is the body of a closure device to be coupled to the container mouth. Thus, this document does not teach or address to directly connect to a single wall of a container, and through a strip hinge, a cover element integrally formed with the two mentioned elements, but it merely shows to connect through a strip hinge a cover element to a closure assembly which is a separated element, and not the container mouth.

Accordingly, it is believed that new claim 19 is novel and unobvious over Schellenbach in view of Mueller.

Accordingly, allowance of new claim 19 is respectfully solicited, as well as of the new claims 20 and 21 which recite further features related to the method which are neither disclosed nor suggested by any of the prior discussed documents.

In view of the foregoing discussion allowance

of the application is respectfully requested.

Respectfully submitted,



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